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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 Nicholas Gulli,
11 Plaintiff,
12 v.
13 United States of America,
14 Defendant.

) Case No. 2:20-cv-01231-ART-NJK
)
)
) **ORDER GRANTING**
) **Stipulation to Extend Deadline to File**
) **Status Report**
) **(First Request)**

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16 The parties, by and through their respective counsel of record, stipulate and request
17 that the Court extend the filing of a new status report by thirty (30) days, until **May 31,**
18 **2024.** This is the first request to extend this deadline. Additional time is sought based on
19 the following:

- 20 1. On July 1, 2020, Plaintiff filed his Complaint (ECF No. 1).
21 2. On November 12, 2020, Plaintiff filed his First Amended Complaint (ECF
22 No. 12).
23 3. On November 19, 2020, the United States filed its Answer (ECF No. 13).
24 4. On October 18, 2021, the United States moved to dismiss under Fed. R. Civ.
25 P. 12(b)(1) arguing that the Court lacked subject matter jurisdiction over Plaintiff's Federal
26 Tort Claims Act ("FTCA") lawsuit (ECF No. 24). The United States also moved to stay
27 further discovery (ECF No. 25).
28 5. The Court heard arguments on the United States' motion to dismiss on
September 30, 2022. *See* ECF Nos. 33–35.

1 6. After hearing arguments, the Court denied the United States’ motion without
2 prejudice, but directed Plaintiff to file his claim under the Federal Employees’
3 Compensation Act (“FECA”). The Court further ordered Plaintiff to file a status report
4 within 30 days of receiving disposition of his FECA claim. The Court also provided that if
5 the FECA claim was not resolved within six months, the parties were to provide a status
6 update. The Court continued the stay of discovery until further notice (ECF No. 35).

7 7. On March 30, 2023, the parties provided a joint status report outlining where
8 things stood with Plaintiff’s FECA claim (ECF No. 36). At that time, the FECA claim
9 remained pending with the United States Department of Labor (“DOL”).

10 8. The parties provided a second joint status report on July 3, 2023 (ECF No.
11 37). At that time, the FECA claim remained pending with DOL.

12 9. On April 1, 2024, the Court ordered the parties to file a new status report by
13 May 1, 2024 (ECF No. 38).

14 10. After receipt of the April 1, 2024 Order, counsel for the United States sent an
15 email to Plaintiff’s counsel of record to discuss providing a joint status report in accordance
16 with the Court’s order.

17 11. The email bounced back as the attorney who represented Plaintiff earlier in
18 the litigation is no longer with the GGRM law firm.

19 12. Counsel for the United States called the firm to get in touch with an attorney
20 at GGRM who was handling this case. Counsel for the United States was put in touch with
21 Mr. King who has taken over the file.

22 13. Mr. King and GGRM was unaware of the Court’s April 1, 2024 Order prior
23 to counsel for the United States’ communications.

24 14. Due to circumstances beyond his control, including taking on the workload of
25 several attorneys who have left the GGRM law firm, Mr. King has not yet had sufficient
26 time to review the file for this case.

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1 Accordingly, the parties request a 30-day extension, until **May 31, 2024**, to allow
2 Plaintiff's counsel to review the file, get up to speed with the case, and work with counsel
3 for the United States to file a joint status report that will assist the Court.
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5 DATED this 29th day of April 2024.

DATED this 29th day of April 2024.

7 GREENMAN GOLDBERG RABY &
8 MARTINEZ

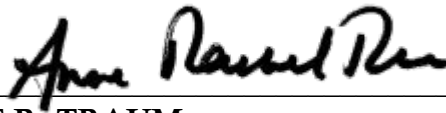
JASON M. FRIERSON
UNITED STATES ATTORNEY

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10 By: /s/ Kevin King
Kevin King
11 2770 S. Maryland Pkwy, Ste. 100
Las Vegas, NV 89109
12 Attorney for Plaintiff

By: /s/ Skyler Pearson
Skyler Pearson, Esq.
501 S. Las Vegas Boulevard, Suite 1100
Las Vegas, Nevada 89118
Attorney for the United States

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14 **IT IS SO ORDERED:**

15 **DATED this 2nd day of May, 2024.**

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18 ANNE R. TRAUM
UNITED STATES JUDGE
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